

Message Text

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ACTION NEA-10

INFO OCT-01 AF-06 EUR-12 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DLOS-04 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 IO-11 JUSE-00 L-03

NSAE-00 NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 USIA-06 SAL-01 SAM-01 SAJ-01 /137 W

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R 111240Z MAR 76

FM AMEMBASSY RABAT

TO SECSTATE WASHDC 7992

INFO AMEMBASSY ALGIERS

AMCONSUL CASABLANCA

AMEMBASSY MADRID

AMEMBASSY NOUAKCHOTT

AMCONSUL TANGIER

CINCUSNAVEUR LONDON

C O N F I D E N T I A L RABAT 1394

E.O. 11652: GDS

TAGS: SS PLOS MO SP

SUBJECT: MFA OFFICIAL LOOKS AT SOME SPANISH-MOROCCAN BILATERAL
PROBLEMS

1. IN COURSE OF MARCH 9 CALL BY EMBOFF ON LOS MATTERS (REPORTED
SEPTTEL), MFA DIRECTOR OF LEGAL DIVISION MUSTAPHA EL GHARBI
FOCUSSED ON A NUMBER OF CURRENT BILATERAL PROBLEMS BETWEEN
MOROCCO AND SPAIN. MANY OF THESE ISSUES RELATED INDIRECTLY TO
LOS QUESTION.

2. SPANISH INVERSION. GHARBI VOICED GREAT FRUSTRATION OVER
SPAIN'S BEHAVIOR TOWARD MOROCCO OVER THE YEARS. HE RECALLED
THAT FRANCO DURING TARFAYA DISPUTE OF 1958 HAD STOOD UP BEFORE
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CORTES AND ACCUSED MOROCCO OF IMPERIALISM. NOW SPAIN WAS ACCUSING

MOROCCO AND MAURITANIA OF COLONIALISM IN SAHARA. SPAIN, HE OBSERVED, HAD ALWAYS SUFFERED FROM THIS OPTICAL AFFLICTION OF SEEING WORLD UPSIDE DOWN.

3. IN DEFENSE OF FREEDOM. GHARBI CLAIMED THAT ONE OF SPAIN'S MOTIVES IN "RENEGING" ON CERTAIN PROVISIONS OF TRIPARTITE AGREEMENT RELATING TO TRANSFER OF SAHARAN SOVEREIGNTY WAS TO GENERATE PRESSURE ON MOROCCANS IN ONGOING DISCUSSIONS ON A NUMBER OF OTHER ISSUES. HE CHARACTERIZED SPAIN'S BEHAVIOR IN THIS REGARD AS "HOLDING A KNIFE AT OUR THROATS." GHARBI ACKNOWLEDGED THAT THERE WERE CERTAIN INTERNAL PRESSURES IN SPAIN WHICH MIGHT IN PART HAVE EXPLAINED ITS CURRENT BEHAVIOR BUT HE SUGGESTED THAT THESE SAME INTERNAL PRESSURES MADE SPAIN A QUESTIONABLE BET FOR THE WEST FOR THE FUTURE. MOROCCO, HE SAID, WAS ALONE IN PURSUING WEST'S INTEREST IN WESTERN MEDITERRANEAN. HE SAID MOROCCO DESERVED U.S. SUPPORT FOR THIS REASON AND ASKED RATHER UNSPECIFICALLY THAT THE U.S. "USE ITS INFLUENCE" WITH SPAIN.

4. CEUTA AND MELILLA. DURING GENEVA LOS SESSION, GHARBI SAID, GOM HAD INSERTED INTO RECORD ITS CLAIM THAT "TEMPORARY" SPANISH JURISDICTION IN CEUTA AND MELILLA IN NO WAY INDICATED THAT MOROCCO WOULD ACCEPT ANY SPANISH CLAIMS TO SURROUNDING TERRITORIAL WATER. HE SAID GOM DID NOT WISH TO PUSH THIS POINT BUT FELT IT NECESSARY TO MAKE IT NEVERTHELESS. IT DID NOT AFFECT JURISDICTION IN ANY CASE, FOR GOM HAD ACKNOWLEDGED SPANISH PRESENCE IN THE ENCLAVES, ALBEIT TEMPORARY.

5. STRAITS OF GIBRALTAR. GHARBI NOTED THAT KING HAD VERY CLEARLY TIED RECOVERY OF CEUTA AND MELILLA TO RECOVERY BY SPAIN OF GIBRALTAR. MOROCCO DID THIS, HE SAID (AND HE EMPHASIZED HERE THAT THE WEST IN ITS OWN INTEREST SHOULD AGREE WITH MOROCCO'S POSITION), BECAUSE IT WOULD BE UNTHINKABLE FOR ANY ONE POWER TO "CONTROL" BOTH SIDES OF STRAITS. BY THIS HE MEANT THAT IF A TERRITORIAL WATERS "CORRIDOR" WERE TO BE RECOGNIZED FROM ALGECIRAS TO CEUTA, SPAIN WOULD THEORETICALLY BE ABLE TO EXERCISE CONTROL OF PASSAGE.

6. UNLIKE SPAIN, WHICH HAD NEVER DOCUMENTED ITS CLAIMS IN ANY OF ITS CONTIGUOUS WATERS, MOROCCO HAD DRAWN UP A MEDIAN LINE

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THROUGH THE STRAITS, GHARBI INDICATED. MOROCCO STOOD READY TO NEGOTIATE THIS MEDIAN LINE WITH SPAIN BUT SPAIN HAD NOT RESPONDED.

7. AS REPORTED SEPTTEL, GHARBI REMARKED CRYPTICALLY THAT SPAIN HAD BEGUN TO "COME ALONG" ON MOROCCO'S POSITION ON INNOCENT PASSAGE AS IT RELATED TO SEALANES CONCEPT.

8. TERRITORIAL WATERS. HARKING BACK TO SPAIN'S "FAILURE" TO

DELINEATE ITS TERRITORIAL WATER CLAIMS, GHARBI SAID SPAIN NOW "PUSHING HARD" TO GET MOROCCO'S AGREEMENT TO CHANGE MEDIAN LINE BETWEEN TARFAYA AND CANARIES. GHARBI REMARKED WITHOUT FURTHER ELABORATION THAT THERE WERE IMPORTANT OIL DEPOSITS IN THIS AREA. COMMENT: EMBOFF HAD IMPRESSION THAT SPANISH ARGUING FOR PURPOSES OBTAINING WIDER FISHING RIGHTS; GOM RESISTING BECAUSE OF POSSIBLE OIL. END COMMENT.

9. AS REPORTED SEPTTEL, MOROCCO WILL ALSO OPPOSE "TERRITORIAL WATERS CORRIDOR" BETWEEN SPAIN AND CANARIES AND BETWEEN PORTUGAL AND MADEIRA, ACCORDING TO GHARBI.

10. COMMENT: GHARBI HAS IN THE PAST BEEN RATHER ADAMANTLY ANTI-SPANISH. NEVERTHELESS HE IS A KEY FIGURE ON MOST OF SUBJECT MATTERS DISCUSSED AND HIS GENERAL COMMENTS SUPPORT OTHER IMPRESSIONS WE HAVE BEEN REPORTING CONCERNING MOROCCAN OFFICIALDOM'S CURRENT PIQUE WITH SPAIN. AS TO HIS PITCH FOR U.S. HELP WITH SPAIN, WE ARE INCLINED TO VIEW IT AS A PERSONAL INITIATIVE MUCH LIKE THE TRADEOFF HE OFFERED US IN NOV 1974, AT WHICH TIME HE SUGGESTED WE LEAN ON SPAIN ON SAHARA QUESTION IN RETURN FOR GOM SUPPORT FOR US POSITION ON STRAITS.

11. IT UNCLEAR WHAT "ONGOING TALKS" WITH SPAIN HE REFERRING TO. WE NOTE, HOWEVER, SIGNS THAT MOROCCO MAY BE ATTEMPTING TO GENERATE PRESSURE ON SPAIN BY LIMITING FISHING OFF SAHARA (NOUAKCHOTT 0547) AND DELAYING FISHING DISCUSSIONS WITH MADRID (MADRID 1743). ANGRY COMMENTS WE HAVE BEEN HEARING FROM OTHER GOM OFFICIALS TOWARD SPAIN REINFORCE THIS LIKELIHOOD.

12. ON QUESTION OF STRAITS, POST IS NOT IN POSITION TO JUDGE FROM LEGAL STANDPOINT RELEVANCE OF SPANISH POSSESSION BOTH SIDES OF STRAITS. GOM POSITION SERVES PURPOSE OF SEEKING US AND OTHERS' SUPPORT FOR MOROCCAN ENCLAVES POSITION, AND GHARBI'S CONTINUING CONFIDENTIAL

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FOCUS ON THIS ASPECT WOULD SEEM TO INDICATE THAT GOM AND SPANISH HAVE NOT YET BEEN ABLE TO REACH AGREEMENT TO COORDINATE STRAITS POLICY. WE HEARD FROM SPANISH EMBASSY SOURCE HERE SOMETIME BACK THAT SPAIN HAD UNSUCCESSFULLY APPROACHED MOROCCANS WITH COORDINATED PROPOSAL. ON OTHER HAND, WE LIKEWISE AT A LOSS TO INTERPRET GHARBI'S STATEMENT THAT SPAIN HAD "COME ALONG" ON SOME ASPECTS OF MOROCCO'S STRITS POLICY. WE CAN ONLY SPECULATE THAT HE MAY HAVE BEEN DEMONSTRATING MOROCCO'S ABILITY TO BE HELPFUL TO US IF WE PLAY BALL. ON BALANCE, WE TEND TO FEEL THAT CURRENT SOMEWHAT STRAINED POLITICAL CLIMATE, INFLUENCED BY CONTINUING SPANISH PRESENCE IN ENCLAVES, MAY PRECLUDE SIGNIFICANT MOROCCAN-SPANISH COORDINATION ON STRAITS POLICY. COON

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